

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 17-63-LPS
	:	
JERRY JINDONG XU,	:	
	:	
Defendant.	:	

JOINT STATUS REPORT

Pursuant to the Court's oral Order during the April 18, 2018 hearing, the government authors this Status Report in response to the Court's two posed questions:

1. Regarding a process by which the defendant could review the voluminous discovery while not jeopardizing the sensitive nature of the discovery or violating the Protective Order, the government proposes appointing standby counsel for the limited purpose of possessing the discovery and accompanying the defendant while he reviews the material. This would also provide the defendant more flexibility to review discovery as standby counsel's schedule allows, as opposed to only times when the United States Marshals could transport him to this District to review discovery. The government understands that this District has previously utilized standby counsel for such a purpose.
2. Regarding the defendant's desire to engage in plea discussions with the government, standby counsel could communicate with the government to arrange proffer dates, and the government will meet with the defendant to discuss a possible plea. This would ease communication between the government and the incarcerated defendant, and the

defendant could decide whether he wishes for standby counsel to be present during the discussions.

While the government was not present for the bulk of either hearing to determine the status of counsel, we understand that the defendant's wish to proceed *pro se* results from disagreements over legal strategy. Appointing standby counsel for the sole purposes of overseeing discovery and effectuating plea discussions would accomplish two of the defendant's goals while not infringing on his desire to advance any particular legal argument.

Respectfully submitted,

DAVID C. WEISS
UNITED STATES ATTORNEY

BY: /s/ Alexander S. Mackler
Alexander S. Mackler
Jamie M. McCall
Assistant United States Attorneys

Dated: April 20, 2018

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CERTIFICATE OF SERVICE

I, Sherry Kaminski, an employee with the United States Attorney's Office, hereby certify that on the 20th day of April 2018, I caused to be electronically filed:

Joint Status Report

with the Clerk of the Court using CM/ECF. Said document is available for viewing and downloading from CM/ECF. I further certify two copies of said document to be served via U.S. mail upon:

Jerry Jindong Xu
Reg. No. 24890-052
Federal Detention Center Philadelphia
P.O. Box 562
Philadelphia, PA 19105
PRO SE

/s/ Sherry Kaminski
Sherry Kaminski